



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,645	06/24/2003	Takaya Matsuishi	238486US2DIV	1282
22850	7590	12/29/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			NGUYEN, MERILYN P	
			ART UNIT	PAPER NUMBER
			2163	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/601,645

Applicant(s)

MATSUISHI, TAKAYA

Examiner

Merilyn P. Nguyen

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-25, 27-35, 37-45, 47, 48, 50, 51, 53 and 54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-25, 27-35, 37-45, 47-48, 50-51 and 53-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> . |

DETAILED ACTION

1. This application is a Division of 09/632,212 filed on August 03, 2000 now patent number 6,782,387.
2. Claims 17-25, 27-35, 37-45, 47-48, 50-51 and 53-54 are pending in this Office action.

Acknowledges

3. Receipt is acknowledged of the following items from the Applicant:
 - The applicant preliminary amendment has been considered and made of record.
 - Information Disclosure Statement (IDS) made of record. The references cited on the PTOL 1449 form have been considered.

Abstract

4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. **It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.**

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2163

5. Claims 1, 2, and 4-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 17-18, line 9, 27-28, line 8, 37 and 38, line 11, there is insufficient antecedent basis for “a type”. It’s unclear whether “a type” is “an index type”.

Regarding claims 17-18, these claims are being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: there are no structural connections between a managing part, a part creating name, and a specifying part.

Regarding claim 19, there are no structural connections between a managing part, a part creating name, and a setting part.

Regarding claims 20 and 47, there are no structural connections between a managing part, and a naming part.

Regarding claims 21-23, and 48, there are no structural connections between a managing part, a searching part, a specifying part, and a dividing part.

Regarding claims 23, 33 and 43, the term “the remainder” is vague and indefinite.

Regarding claims 25, 35, and 45, the recitation of “the remainder of deletion of the index from a name of a section included in said document” is vague and indefinite. Its meaning is unclear within the context of the claim.

Regarding claims 30, 40, 50 and 53, these claims are being incomplete for omitting relationship between steps. For example, the step of “naming each document” is not related to

Art Unit: 2163

step “managing a plurality of documents”. Moreover, the limitation of “*naming each document* obtained from decomposing a source document *using a name of a section of the document* obtained from decomposing the source document, wherein *the name of the section* comprises a *name of said source document* and an index having an attribute of order” render the claims indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

Regarding claims 31, 41, 51 and 54, these claims are being incomplete for omitting relationship between steps. For example, the step of “searching for documents using a type of index” is not related to step “managing a plurality of documents”.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 16, 26, 36, 46, 49, and 52 are rejected under 35 U.S.C. 102(e) as being anticipated by Yehuda (US 6,266,683).

Regarding claims 17, 18, 27, 28, 37, and 38, Yehuda discloses a document management system (Document management system 10, Fig. 1), method and programs (col. 1, lines 1-10, and col. 2, lines 45-55) comprising:

Art Unit: 2163

- a managing part managing a plurality of documents each comprising one or a plurality of sections (See col. 7, lines 32-38); and
- a part creating a name of each section of plurality of sections of a document, said name comprising a name of said document (See Fig. 2B, “Article 1”, “Section 1.1” or “Section 1.2”, and “Segment file name 320”, Fig. 8A and col. 12, lines 35-58) ;
- a specifying part for an operator to specify an index type (See col. 11, lines 13-29, wherein specifying an index type corresponding to creating and formatting an hierarchical interactive table of contents), wherein said name creating part creates a name of each section (See col. 12, lines 35-58), said name comprising the name of the document and an index having an attribute of order and of a type specified by said specifying part (See Fig. 2B, Fig. 9B, and col. 10, lines 15-35, and col. 11, lines 15-25).

Regarding claims 19, 29 and 39, Yehuda discloses a document management system (Document management system 10, Fig. 1), method and programs (col. 1, lines 1-10, and col. 2, lines 45-55) comprising:

- a managing part managing a plurality of documents each comprising one or a plurality of sections (See col. 7, lines 32-38); and
- a part creating a name of each section of plurality of sections of a document, said name comprising a name of said document (See Fig. 2B, “Article 1”, “Section 1.1” or “Section 1.2”, and “Segment file name 320”, Fig. 8A and col. 12, lines 35-58) ;

Art Unit: 2163

- a setting part setting instructions for creating names of sections when documents are coupled (320, See Fig. 9B and col. 12, lines 35-58, wherein documents couple are doc.0.3, doc.1.0), wherein said name creating part creates a name of each section of plurality of sections of a document, said name comprising a name of said document obtained from coupling of documents, when the instructions for creating names of sections when documents are coupled are set by said setting part (See col. 12, lines 35-58).

Regarding claims 20, 30, 40, 47, 50 and 53, Yehuda discloses a document management system (Document management system 10, Fig. 1), method and programs (col. 1, lines 1-10, and col. 2, lines 45-55) comprising:

- a managing part managing a plurality of documents each comprising one or a plurality of sections (See col. 7, lines 32-38); and
- a naming part naming each document obtained from decomposing a source document using a name of a section of the document obtained from decomposing the source document (See Fig. 2B, Fig. 9B and col. 9, lines 38-56), wherein the name of the section comprises a name of said source document and an index having an attribute of order (See col. 11, lines 13-29 and col. 14, line 48 col. 15, line 8).

Art Unit: 2163

Regarding claims 21, 31, 41, 48, 51 and 54, Yehuda discloses a document management system (Document management system 10, Fig. 1), method and programs (col. 1, lines 1-10, and col. 2, lines 45-55) comprising:

- a managing part managing a plurality of documents each comprising one or a plurality of sections (See col. 7, lines 32-38); and
- a searching part searching for documents using a type of index (See Fig. 9B and col. 14, line 48 to col. 15, line 29), wherein each document has a name comprising an index having an attribute of order (See Fig. 9B, col. 11, lines 15-25).

Regarding claims 22, 32 and 42, Yehuda discloses:

- a specifying part for an operator to specify a name indicating an attribute of document and a type of index (See col. 14, lines 52-58), wherein said searching part performs search in accordance with an item specified through said specifying part (See col. 14, lines 55-65).

Regarding claims 23, 33 and 43 Yehuda discloses a dividing part dividing a document name into an index and the remainder, wherein said searching part performs search in accordance with an item obtained from said dividing part (See col. 14, lines 48-65).

Regarding claims 24, 34 and 44, Yehuda discloses a sorting part sorting names of the documents obtained from said searching part in order of index (See index 265 Fig. 10D, and col.

Art Unit: 2163

16, lines 48-55); and a coupling part coupling the documents in order of the result obtained from said sorting part (See col. 16, lines 48-55).

Regarding claims 25, 35 and 45, Yehuda discloses a naming part naming the document obtained from said coupling part using the remainder of deletion of the index from a name of a section included in said document (See col. 16, lines 6-11).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Oka U.S Patent No. 5,537,591 discloses method and apparatus for forming a file management system diagram.

Travis U.S Patent No. 5,101,493 discloses digital computer using data structure including external reference arrangement.

Schloss U.S Patent No. 6,349,844 discloses identifying processing and caching object fragments in a web environment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marilyn P Nguyen whose telephone number is 571-272-4026. The examiner can normally be reached on M-F: 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone numbers for the


Art Unit: 2163

organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


MN

December 10, 2005


FRANTZ COBY
PRIMARY EXAMINER